

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Johnny Tippins v Wayne Circuit Judge**

Docket No. **278887**

L.C. No. **02-001578-01**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

The complaint for superintending control, which is the correct title under MCR 3.302(C), and motion for immediate consideration are DISMISSED for lack of jurisdiction because an appeal from the March 18, 2005 order was available. MCR 3.302(D)(2). In fact, Mr. Tippins exercised that ability to appeal, but it was dismissed for not correcting filing defects. See docket number 265037. This incorrectly titled complaint for mandamus cannot be used to circumvent the time limits for filing a proper application for leave to appeal in this Court.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

AUG 30 2007

Date

Sandra Schultz Mengel

Chief Clerk